

Remarks

Claims 1-12 and 22-25 are pending in the subject application prior to entry of this Amendment. By the Amendment herewith, Applicant amends independent claim 1 to recite, in part:

“a transfer mechanism configured to transfer fuel comprising hydrogen from the reservoir to the fuel interface and into a fuel storage portion of the connected mobile electronic device in dependence upon the data received from the mobile electronic device” (Emphasis added).

Support for the foregoing exists in the specification at, for example, page 3. Applicant also adds new claims 26-29 as supported by, for example, page 6 of the specification.

No new matter is introduced into the application as a result of the foregoing changes.

Accordingly, upon entry of this Amendment, claims 1-12 and 22-29 are pending. Of those claims, claims 1 and 26 are independent.

In the outstanding non-final Office Action, all claims are rejected under 35 USC Section 103(a) as being unpatentable over Hockaday (US Patent No. 6,326,097, hereinafter “Hockaday”) in view of Pratt et al. (US Patent Publication 2003/0194589, hereinafter “Pratt”).

The foregoing rejection is respectfully disagreed with, and is traversed below.

Hockaday discloses a fuel dispenser 39, which may be used to refill a fuel cell in a cell phone. Fuel is wicked from the fuel dispenser 39 by capillary action to the fuel cell manifold via the needle 37. Power from the fuel cell may then be delivered to the cell phone.

As recognized by the Examiner, none of the embodiments disclosed in Hockaday disclose a fuel supply device comprising a data interface configured to receive data from a mobile electronic device (Final Office Action dated October 22, 2008 at page 3).

Moreover, it is respectfully asserted that Hockaday does not disclose or suggest Applicant's fuel supply device as set forth in independent claims 1 and 26 reciting, in part, a "transfer mechanism configured to transfer fuel comprising hydrogen from the reservoir to the fuel interface and into a fuel storage portion of the connected mobile electronic device in dependence upon the data received from the mobile electronic device" (Emphasis added).

Pratt does not cure the deficiencies of Hockaday.

Pratt appears to describe a fuel cell system comprising a control means that controls the rate of reactant flow, the control means matching the fuel cell output to characteristics of the device.

According to Pratt, a fuel cell power source provides power to a load device. The fuel cell power source comprises a fuel storage container, which serves as a fuel source, a fuel storage container controller for controlling the fuel storage container, a fuel cell system, an information storage device, and a control means. The control means controls the operation of other components in the fuel cell power source. The control means is configured to query the coupled load device for information and store this information in the information storage device. The control means also computes the net power loading requirements of the load device by combining and matching the dynamic load requirements of the load device with the historic use pattern of the specified device user. The control means continues to adjust the operating point of the fuel cell system, therefore controlling the voltage and current output of the fuel cells contained within the fuel cell system.

Pratt does not disclose or suggest a "transfer mechanism configured to transfer fuel comprising hydrogen from the reservoir to the fuel interface and into a fuel storage portion of the connected mobile electronic device in dependence upon the data received from the mobile electronic device" as recited in Applicant's independent claims 1 and 26.

Pratt relates to the control of the efficiency of the transfer of electrical power to a load device. Pratt teaches the use of fuel cells as the source of the electric power, which is used by the load device. The load device does not store the electrical power, but has varying power demands.

The Examiner's attention is respectfully directed to, for example, Figures 1-3 and paragraph [0023] of Pratt. As disclosed in paragraph [0023], Pratt discloses that control means 150 can vary the amount of fuel and oxidant reaching the fuel cell to control reaction rate and water generation.

Pratt does not disclose or suggest any fuel supply device including the afore-referenced recited transfer mechanism of Applicant's independent claims 1 and 26.

Similarly, the cited references do not disclose or suggest Applicant's fuel supply device of claim 26 reciting, in part:

“an input/output interface configured to transmit the data to an authenticator, and to receive an authorization to dispense the fuel into the fuel storage portion of the connected mobile electronic device.”

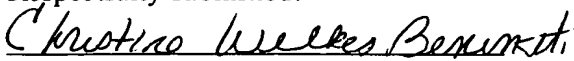
Moreover, there is no teaching, suggestion or motivation to combine and modify the above references in an attempt to arrive at the subject matter of independent claims 1 and 26. Nor is there any reason to do so.

Applicant respectfully asserts that the subject matter recited in independent claims 1 and 26 is new and non-obvious in view of the cited art. Accordingly, all remaining dependent claims also are believed to be patentable at least in view of their dependency from an allowable independent claim.

All issues having been addressed, the subject application is believed to be in condition for immediate allowance. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the outstanding rejection. A favorable consideration that results in the allowance of all of the pending claims is earnestly solicited.

Should the Examiner have any questions, a call to the undersigned would be appreciated.

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